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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/677,711	09/30/2000	C. Douglas Thomas	WCT200-20	3057

27833 7590 10/06/2006		EXAMINER
TECHNOLOGY, PATENTS AND LICENSING, INC.		KANG, PAUL H
2003 South EASTON ROAD		

ART UNIT	PAPER NUMBER
2144	

TECHNOLOGY, PATENTS AND LICENSING, INC.
2003 South EASTON ROAD
SUITE 208
DOYLESTOWN, PA 18901

DATE MAILED: 10/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

	Office Action Summary	**Application No.** 09/677,711	**Applicant(s)** THOMAS, C. DOUGLAS
		Examiner Paul H. Kang	**Art Unit** 2144

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>*14 July 2006*</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *3,15,19,20,31-33 and 35-53* is/are pending in the application.

     4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *3,15,19,20,31-33,35-38,40,41,45-49 and 51-53* is/are rejected.

7)☒ Claim(s) *39,42-44 and 50* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *30 September 2000* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a)☐ All   b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
     Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
     Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Status of the Claims

1.   Claims 1-2, 4-14, 16-18, 21-30, and 34 have been cancelled. Claims 37-53 have been

newly added. Claims 3, 15, 19, 20, 31-33, 35-53 are now pending.

Allowable Subject Matter

2.   Claims 39, 42, 43, 44 and 50 are objected to as being dependent upon a rejected base

claim, but would be allowable if rewritten in independent form including all of the limitations of

the base claim and any intervening claims.

The prior art of record does not fairly teach, either alone or in combination, a method and

system for customizing web pages wherein demographic information is taken from a limited

group consisting of gender, marital status, age, salary, number of children, job type, residence

location, political affiliation, hobbies, preferred greeting name, interests, and user preferences.

Furthermore, the prior art is silent as to a demographic server storing "only" anonymous

demographic information.

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed
> in the United States before the invention by the applicant for patent or (2) a patent granted on an application for
> patent by another filed in the United States before the invention by the applicant for patent, except that an

international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 3, 15, 19, 20, 31-32, 35-36, 38, 45 and 49 are rejected under 35 U.S.C. 102(e) as being anticipated by Angles et al., US Pat. No. 5,933,811.

4.   As to claims 3 and 45, Angles teaches a system for delivering customized web pages to users, said system comprising:

a computer associated with a user (col. 14, lines 9-15); and

at least one content server that stores content for at least one web page (col. 13, line 55 – col. 14, line 9),

wherein said content server receives a request for a web page from the computer (col. 13, line 55 – col. 14, line 67);

wherein the request for a web page includes demographic information (col. 14, lines 9-67 and col. 15, lines 1-31),

wherein said demographic information comprises anonymous demographic data (demographic information comprises at least anonymous demographic data such as age, sex, income, career, etc., col. 14, lines 16-26),

wherein the content server customizes the content of the requested web page based on the anonymous demographic data (col. 13, line 55 – col. 14, line 67 and col. 15, lines 1-31), and

wherein said content server delivers the customized web page to the computer associated with the user (col. 15, lines 20-31).

5.   As to claims 38 and 49, Angles teaches the system of claim 3, wherein the demographic

information is encrypted (col. 11, lines 16-26).

6.   As to claim 15, Angles teaches a computer implemented method for utilizing anonymous

demographic information over a network of computers, said method comprising:

        storing demographic information on a demographics server, wherein the demographic

information comprises anonymous demographic data (demographic information comprises at

least anonymous demographic data such as age, sex, income, career, etc., col. 14, lines 16-26);

        storing a demographic identifier on a computer associated with a user, wherein the

demographic identifier identifies the demographic information (col. 13, line 55 – col. 14, line

32);

        issuing a request from the user to receive a web page from a content server via the

network, the request including the demographic identifier corresponding to the user (col. 13, line

55 – col. 14, line 32 and col. 19, lines 22-65); and

        retrieving the demographic information identified by the demographic identifier via the

network from the demographics server (col. 19, lines 52-65).

7.   As to claim 19, Angles teaches the system wherein said content server produces a

customized web page for the requesting user based on the retrieved particular demographic

information (Angles, col. 13, lines 21-54 and col. 19, lines 52-65).

8.   As to claim 20, Angles teaches the method wherein the content server is the

demographics aware server (col. 21, lines 34-37).

9.   As to claim 31, Angles teaches a computer implemented method for customizing web

pages provided over a network comprising:

receiving, at a server computer, a web page request issued by a requestor over the

network from a requestor's computer, wherein the page request includes a demographic

identifier user (col. 13, line 55 – col. 14, line 32 and col. 19, lines 22-65);

retrieving demographic information identified by the demographic identifier from a

demographics server wherein the demographic information comprises anonymous demographic

data (demographic information comprises at least anonymous demographic data such as age, sex,

income, career, etc., col. 14, lines 16-26 and col. 19, lines 52-65); and

in response to the web page request, customizing a web page to be displayed on the

requestor's computer based on the anonymous demographics information (col. 19, lines 52-65).

10.   As to claim 32, Angles teaches the system comprising transmitting the customized web

page to the requestor's computer for display thereon (col. 19, lines 52-65).

11.   As to claim 35, Angles teaches a method of claim 31, wherein the demographic

information corresponding to the requestor is supplied by the requestor in response to questions

posed to the requestor by the demographics server (the registration module prompts the user for

demographic information; col. 13, line 21 – col. 14, line 67).

12.   As to claim 36, Angles teaches the method of claim 31, wherein the demographic

information is encrypted before being provided to the server computer (col. 11, lines 16-26).

Claim Rejections - 35 USC § 103

13.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

14.   Claims 33, 37, 40-41, 46-48 and 51-53 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Angles in view of Linsk, US Pat. No. 6,353,849.

15.   As to claim 40, Angles teaches the invention substantially as claimed. However, Angles

does not explicitly teach the system of claim 3, wherein the demographic information is stored

on the computer associated with the user. Angles provides for the user entering demographic

information from the user's computer to be stored on the demographics server.

        In the same field of endeavor, Linsk teaches a system and method for providing

customized web content based on demographic information that is stored on the user's computer

(Linsk, col. 2, lines 28-42, col. 3, lines 10-33, and claims 1 and 2).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have incorporated the storing of demographic information on the user's computer to enhance flexibility and portability of demographic data.

16.   As to claim 41, Angles-Linsk teaches the system of claim 40, wherein the demographic information is input by the user (the registration module prompts the user for demographic information, col. 14, lines 9-32).

17.   As to claim 46, Angles-Linsk teaches the system of claim 45, wherein the demographic identifier is a code that indicates demographic classification (the cookie has stored thereon a demographic identifier indicating demographic classification; Linsk, col. 2, lines 16-42 and col. 3, line 10 – col. 4, line 19).

18.   As to claim 47, Angles-Linsk teaches the system of claim 45, wherein the demographic identifier is comprised of one or more fields, wherein each field is comprised of a value of a type of demographic information (Linsk, col. 2, lines 16-42 and col. 3, line 10 – col. 4, line 19).

19.   As to claim 51, Angles-Linsk teaches the system of claim 45, wherein the content server sends the demographic identifier to the demographic server, wherein the demographic server sends the identified demographics information to the content server, and wherein the content server utilizes the anonymous demographic information to customize the content for the web

page requested by the user (Linsk, col. 3, line 10 – col. 4, line 19).

20.   As to claim 52, Angles-Linsk teaches the system of claim 45, wherein the demographic

information is input by the user at the computer, and wherein the computer sends the

demographic information to the demographic server (Angles, col. 14, lines 9-32 and Linsk, col.

3, line 10 – col. 4, line 19).

21.   As to claim 53, Angles-Linsk teaches the system of claim 52, wherein the demographic

identifier is sent by the demographic server to the computer and stored on the computer (Angles,

col. 14, lines 27-32 and col. 11, lines 5-12 and Linsk, col. 3, line 10 – col. 4, line 19).

22.   As to claim 33, Angles-Linsk teaches the method of claim 31, wherein the demographic

information is stored on the requestor's computer in the form of a cookie (Linsk, col. 3, line 10 –

col. 4, line 19).

23.   As to claims 37 and 48, Angles-Linsk teaches the invention substantially as claimed.

However, Angles-Linsk do not explicitly teach the system of claim 3, wherein the demographic

information is compressed.

        Data compression is notoriously well known in the art. The Examiner takes Official

Notice (see MPEP § 2144.03) that data compression in a computer networking environment was

well known in the art at the time the invention was made. The Applicant is entitled to traverse

any/all official notice taken in this action according to MPEP § 2144.03, namely, "if applicant

traverses such an assertion, the examiner should cite a reference in support of his or her position". However, MPEP § 2144.03 further states "See also In re Boon, 439 F.2d 724, 169 USPQ 231 (CCPA 1971) (a challenge to the taking of judicial notice must contain adequate information or argument to create on its face a reasonable doubt regarding the circumstances justifying the judicial notice)." Specifically, In re Boon, 169 USPQ 231, 234 states "as we held in Ahlert, an applicant must be given the opportunity to challenge either the correctness of the fact asserted or the notoriety or repute of the reference cited in support of the assertion. We did not mean to imply by this statement that a bald challenge, with nothing more, would be all that was needed". Further note that 37 CFR § 1.671(c)(3) states "Judicial notice means official notice". Thus, a traversal by the Applicant that is merely "a bald challenge, with nothing more" will be given very little weight.

Response to Arguments

24.   Applicant's arguments filed July 14, 2006 are moot in view of the new grounds of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul H. Kang whose telephone number is (571) 272-3882. The examiner can normally be reached on 9 hour flex. First Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Vaughn can be reached on (571) 272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

PAUL H. KANG
PRIMARY PATENT EXAMINER